

## ABSENT—3.

Douglass of J. Pope.  
MacManus,

## SENATOR WOODS

Moved to postpone the bill indefinitely.

Lost by the following vote:

## YEAS—10.

Abercrombie,	Davis,
Allen,	Garrison,
Burney,	Simkins,
Calhoun,	Terrell,
Claiborne,	Woods.

## NAYS—13.

Armistead,	Houston,
Bell,	Jarvis,
Burges,	McDonald,
Camp,	MacManus,
Douglass of G,	Stinson,
Frank,	Woodward.
Harrison,	

## ABSENT—2.

Douglass of J, Pope.

## SENATOR HOUSTON

Moved to adjourn till 10 o'clock Monday morning.

Lost.

## SENATOR TERRELL

Moved to amend by adding after word "fuel," the words "chickens, ducks and dogs."

## SENATOR M'DONALD

Opposed the amendment.

## SENATOR TERRELL

Favored it.

## SENATOR BURGESS

Opposed the amendment and it was lost, and the bill was passed to third reading.

On motion of Senator Garrison,

The Senate adjourned till 10 o'clock Monday morning.

## FIFTY-FOURTH DAY.

SENATE CHAMBER, }  
AUSTIN, TEXAS, March 14, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the House Chaplain, Dr. Mitchell.

On motion of Senator Woodward, The reading of the Journal of yesterday was dispensed with.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }  
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has passed the following bills:

House bill No. 451.

"An act to amend Article 711 of the Revised Statutes, defining the boundaries of Aransas county," by a two-thirds' vote—yeas 78, nays none.

House bill No. 499.

"An act for the relief of J. B. Early, and to validate bounty land certificate No. 831, and the survey made by virtue thereof, issued by Ben. F. Hill, Adjutant General of Texas, on the twenty-eighth day of May, 1851, for 240 acres of land to Henry W. Ward, the said J. B. Early being now the said owner of said certificate."

WILL LAMBERT, chief clerk,  
House of Representatives.

## PETITIONS AND MEMORIALS.

## BY SENATOR UPSHAW:

Petition of citizens of Hill county for scientific temperance instruction in the public schools of Texas.

Referred to Committee on Education.

And

Petition of members of fire departments of Austin and New Braunfels, asking active firemen to be relieved from paying road and poll tax.

Referred to Committee on Finance.

## THE PRESIDENT

Gave notice of signing House bill No. 125.

"An act to provide for a more speedy counting of the votes at special and general elections, and to pay the judges and clerks for the same."

## REPORTS OF STANDING COMMITTEES.

## BY SENATOR FRANK:

SENATE CHAMBER, }  
AUSTIN, March 12, A. D. 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed

Bills have carefully examined Senate bill No. 128, entitled:

"An act to authorize counties, cities and towns to compromise and adjust certain bonded indebtedness, and to provide for the levy and collection of taxes to pay the interest and sinking fund," and find the same correctly engrossed.

FRANK, chairman.

SENATE CHAMBER,  
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined Senate bill No. 122, entitled:

"An act to amend Article 1985, chapter 17, title 37, of the Revised Civil Statutes of the State of Texas," and find the same correctly engrossed.

FRANK, chairman.

BY SENATOR ALLEN:

COMMITTEE ROOM,  
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Agricultural Affairs, to whom was referred House bill No. 355, entitled:

"An act to create a Bureau of Agriculture for the State of Texas, and to add it to the Department of Insurance, Statistics and History, to properly designate said department and its head, and to prescribe the duties belonging to it relating to agriculture," have had the same under consideration, and instruct me to report it back to the Senate with the recommending amendment.

All of which is respectfully submitted.

ALLEN, chairman.

Bill read first time.

COMMITTEE AMENDMENT.

Strike out section 6, and substitute the following:

"Section 6. It shall be the duty of tax assessors when listing property for taxes to also call on all tax payers in their respective counties for necessary fact and information for filing out the blanks, they shall receive such compensation for this service, as may be allowed by the commissioners' court, one half to be paid by the State and one half by the county, to be paid in the same manner that the fees for assessing State and county

taxes are now paid, and when any assessor fails or refuses to comply with the provisions of this act and the instructions of the commissioner, the Comptroller shall on notice from the commissioners withhold the pay due such assessor for assessing the State taxes of his county until notified by the commissioners that such assessor has complied with the law.

BY SENATOR HOUSTON:

COMMITTEE ROOM,  
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Constitutional Amendments, to whom was referred Senate joint resolution No. 3, amending section 4, Article 7, of the Constitution of the State of Texas, have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

The object of the resolution is to so amend the Constitution as to allow the Legislature in cases of great public calamity, by two thirds vote of all members elected to both Houses of the Legislature to grant relief to the purchasers of such lands.

All of which is respectfully submitted.

HOUSTON, chairman.

Joint resolution read first time.

COMMITTEE ROOM,  
AUSTIN, March 9, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Public Lands, to whom was referred Senate bill No. 324, entitled:

"An act to validate the location of surveys made by virtue of certificates issued under an act entitled 'an act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State or of the Confederate States a land certificate for 1280 acres of land,' approved April 9, 1881," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it lie on the table to be considered in connection with Senate bill No. 200, known as the "Greer county bill."

All of which is respectfully submitted.

HOUSTON, for committee.

Bill read first time.

BILLS AND RESOLUTIONS.

BY SENATOR CLAIBORNE:

Resolved, By the Senate of the State

of Texas, the House of Representatives concurring, that when the capitol grounds are graded and ready for the reception of trees, shrubs, etc., that any citizen of the State, 20 years of age, may have set out, under the direction of the superintendent of public grounds, a native tree of this State, to be dedicated to either themselves or any person who participated in the war of independence of Texas or the head of any of the departments of State or the judiciary.

SENATOR CLAIBORNE

Spoke in favor of the resolution.

SENATOR ARMISTEAD

Moved to strike out the word "native" wherever it refers to persons.

Adopted.

SENATOR BURNEY

Moved to strike out "etc." where it occurs in the resolution.

Adopted.

SENATOR TERRELL

Opposed the resolution.

SENATOR CALHOUN

Moved to add "provided not more than one thousand such trees shall be so donated and set out."

Adopted.

As amended, the resolution was adopted.

BY SENATOR CLAIBORNE.

Joint resolution to amend Article 2, Section 9, of the Constitution of the State of Texas.

Referred to Committee on Constitutional Amendments.

SENATOR TERRELL

Called up his resolution to adjourn sine die on the second day of April.

SENATOR TERRELL

Offered the following amendment:

"Strike out Saturday, April 2, and insert Monday, April 4."

SENATOR STINSON

Sent up the following resolution on subject of adjournment:

"Resolved. That the Legislature adjourn sine die on Monday, the twenty-eighth of March, 1887."

The amendment of Senator Terrell to the resolution being acted on first, was

Adopted by the following vote:

YEAS—19.

Abercrombie,	Glasscock,
Armistead,	Harrison,
Bell,	Houston,
Burges,	Jarvis,
Burney,	McDonald,
Calhoun,	MacManus,
Claiborne,	Simkins,
Douglass of J,	Terrell,
Douglass of G,	Woodward.
Garrison,	

NAYS—6.

Allen,	Frank,
Camp,	Stinson,
Davis,	Woods.

ABSENT—2.

Pope, Upshaw.

The resolution as amended was lost by the following vote.

YEAS—12.

Armistead,	Garrison,
Bell,	Harrison,
Calhoun,	Jarvis,
Claiborne,	McDonald,
Douglass of G.	MacManus,
Frank,	Terrell.

NAYS—13.

Abercrombie,	Glasscock,
Allen,	Houston,
Burges,	Simkins,
Burney,	Stinson,
Camp,	Woods,
Davis,	Woodward.
Douglass of J,	

ABSENT—2.

Pope, Upshaw.

SENATOR FRANK

Moved to amend the resolution of Senator Stinson as follows:

"Amend by inserting the first day of April instead of the twenty-eighth day of March."

Lost.

The resolution to adjourn on March 28 was lost by the following vote:

## YEAS—7.

Allen,	Stinson,
Camp,	Woods,
Davis,	Woodward.
Douglass of J,	

## NAYS—17.

Abercrombie,	Glasscock,
Armistead,	Harrison,
Bell,	Houston,
Burges,	Jarvis,
Burney,	McDonald,
Calhoun,	MacManus,
Claiborne,	Simkins.
Frank,	Terrell.
Garrison,	

## ABSENT—3.

Douglass of G,	Upshaw.
Pope,	

On motion of Senator Douglass of Grayson,

Senator Knittle was excused for the day on account of important business.

## SENATOR ABERCROMBIE

Entered a motion to reconsider the vote by which the resolution of Senator Terrell to adjourn on the fourth day of March was lost.

## THE PRESIDENT

Gave notice of signing Senate bill No. 66

"An act to amend Article 605, chapter 2, title 8, of the Code of Criminal Procedure for the State of Texas."

Substitute Senate bill No. 52.

"An act to provide for the separation of partition or adjoining fences, and to prescribe a penalty for a violation of the provisions of this act."

And,

Senate bill No. 155.

"An act to amend Article 2219 of chapter 2, title 38, of the Revised Civil Statutes of the State of Texas, on the subject of taking depositions of witnesses in civil cases."

And,

House bill No. 34.

"An act to provide for the election of a district attorney in the eighteenth judicial district of Texas."

And,

House bill No. 74.

"An act to amend Article 425 of the Penal Code of Texas."

And,

House bill No. 288.

"An act to create the counties Jeff Davis, Buchel and Foley from Presidio county."

On motion of Senator Jarvis,  
Senate bill No. 329.

'An act to amend an act entitled 'an act to redistrict the State into judicial districts and fixing the time for holding court therein, and to provide for the election of judges and district attorneys in said district at the next general election to be held on the first Tuesday after the first Monday in November, 1884,' approved April 9, 1883, approved March 24, 1885, to create the forty first judicial district of the State of Texas, fix the time for holding court therein, and provide for the appointment of a district judge of said district," was taken up and read second time with favorable report.

## SENATOR JARVIS

Moved to amend line 4, page 2, by striking out the word "six," in inserting in lieu thereof the word "eight."

Adopted.

## SENATOR JARVIS

Moved to amend by striking out the word "first," in line 8, page 2, and inserting in lieu thereof the word "third," and by inserting after the word "weeks," in line 9, page 2, the words "and may continue in session until the business is disposed of."

Adopted.

## SENATOR JARVIS

Moved to amend sections 2 and 3 by inserting "forty-third" instead of "forty-first" judicial district.

Adopted.

As amended the bill was passed to engrossment.

On motion of Senator Bell,

The constitutional rule was suspended and the bill was placed on its third reading and final passage by the following vote.

## YEAS—22.

Abercrombie,	Garrison,
Allen,	Harrison,
Armistead,	Jarvis,
Bell,	McDonald,
Burges,	MacManus,
Burney,	Simkins,
Calhoun,	Stinson,
Camp,	Terrell,
Claiborne,	Upshaw,
Davis,	Woods,
Frank,	Woodward.

NAYS—none.

ABSENT—5.

Douglass of J.      Houston,  
Douglass of G.      Pope.  
Glasscock,

The bill was read third time and passed by the following vote:

YEAS—22.

Abercrombie,	Glasscock,
Allen,	Harrison,
Armistead,	Jarvis,
Bell,	McDonald,
Burney,	MacManus,
Calhoun,	Simkins,
Camp,	Stinson,
Claiborne,	Terrell,
Davis,	Upshaw,
Frank,	Woods,
Garrison,	Woodward.

NAYS—none.

ABSENT—5.

Burges,              Houston,  
Douglass of J.      Pope.  
Douglass of G.

SENATOR DOUGLASS, OF JEFFERSON,  
Sent up the following privileged reports:

COMMITTEE ROOM, }  
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 52, being

"An act to provide for the separation of partition or adjoining fences, and to prescribe a penalty for a violation of the provisions of this act and find the same correctly enrolled and have this day, at 11 o'clock a. m., presented the same to the Governor for his signature.

DOUGLASS, of Jefferson,  
Acting chairman.

COMMITTEE ROOM, }  
AUSTIN, TEXAS, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 66, being:

"An act to amend Article 605, chapter 2, title 8, of the Code of Criminal Procedure for the State of Texas," and find the same correctly enrolled, and have this day, at 11 o'clock a. m., presented the same to the Governor for his signature.

DOUGLASS of Jefferson,  
Acting chairman.

COMMITTEE ROOM, }  
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 155, being:

"An act to amend Article 2219, of chapter 2, title 38, of the Revised Civil Statutes of the State of Texas, on the subject of taking depositions of witnesses in civil cases," and find the same correctly enrolled, and have this day at 11 o'clock a. m. presented the same to the Governor for his signature.

DOUGLASS of Jefferson,  
Acting chairman.

On motion of Senator Jarvis,  
Senate bill No. 328,

"An act to amend an act to amend an act entitled 'an act to amend section 16 of an act to redistrict the State into judicial districts and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved April 9, 1883, approved March 30, 1885," was taken up and read a second time with favorable report.

SENATOR JARVIS

Offered the following substitute for section 2:

"The necessity for the passage of this bill and the near approach of the close of the present session of the Legislature creates an emergency and an imperative public necessity; that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted; and that this act take effect and be in force from its passage, and it is so enacted."

Adopted, and the bill as amended, was ordered engrossed.

On motion of Senator Bell,

The constitutional rule was suspended, and the bill was placed on its third reading and final passage by the following vote:

YEAS—24.

Abercrombie,	Davis,
Allen,	Douglass of J,
Armistead,	Frank,
Bell,	Garrison,
Burges,	Glasscock,
Burney,	Harrison,
Calhoun,	Houston,
Camp,	Jarvis,
Claiborne,	McDonald,

MacManus, Terrell,  
Simkins, Woods,  
Stinson, Woodward.

NAYS—none.

ABSENT—3.

Douglass of G, Upshaw.  
Pope,

The bill was read third time and passed by the following vote:

YEAS—23.

Abercrombie, Glasscock,  
Allen, Harrison,  
Armistead, Houston,  
Bell, Jarvis,  
Burney, McDonald,  
Calhoun, Simkins,  
Camp, Stinson,  
Claiborne, Terrell,  
Davis, Upshaw,  
Douglass of J, Woods,  
Frank, Woodward.  
Garrison,

NAYS—none.

ABSENT—4.

Burges, MacManus,  
Douglass of G, Pope.

On motion of Senator Abercrombie, Senate bill No. 306,

"An act to amend an act entitled 'an act to redistrict the State into judicial districts, and to provide for the election of judges and district attorneys for said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved April 9, 1883, being chapter 67, General Laws, Eighteenth Legislature" was taken up and read second time with favorable report and ordered engrossed.

On motion of Senator Abercrombie,

The constitutional rule requiring bills to be read on three several days was suspended and the bill was placed on its third reading and final passage by the following vote:

YEAS—24.

Abercrombie, Davis,  
Allen, Douglass of J,  
Armistead, Frank,  
Bell, Garrison,  
Burges, Glasscock,  
Burney, Harrison,  
Calhoun, Houston,  
Camp, Jarvis,

McDonald, Terrell,  
MacManus, Upshaw,  
Simkins, Woods,  
Stinson, Woodward.

NAYS—none.

ABSENT—3.

Claiborne, Pope.  
Douglass of G.

The bill was read third time and passed by the following vote:

YEAS—24.

Abercrombie, Garrison,  
Allen, Glasscock,  
Armistead, Harrison,  
Bell, Houston,  
Burges, Jarvis,  
Burney, McDonald,  
Calhoun, MacManus,  
Camp, Simkins,  
Claiborne, Terrell,  
Davis, Upshaw,  
Douglass of J, Woods,  
Frank, Woodward.

NAYS—none.

ABSENT—3.

Douglass, of G, Stinson.  
Pope,

On motion of Senator Abercrombie, Senator Pope was excused for five days from Saturday on account of sickness.

On motion of Senator Claiborne, Substitute Senate bill No. 195.

"An act to regulate the time and manner for catching or taking fish, oysters, crab and shrimp within the limits of tide water on the coast of Texas and bayous and in all the tributaries up to tide water within this State," was taken up, read third time and passed.

On motion of Senator Woodward, Senate bill No. 244.

"An act to amend Article 3249, of chapter 2, and Articles 3293, 3294, 3295, 3296, 3304, 3306, 3307, 3308, 3310, 3312, 3327, 3329 and 3340 of chapter 4, title 54, Revised Civil Statutes of the State of Texas," was taken up out of its regular order and read second time with favorable report, and

On motion of Senator Woodward was made the special order for to-morrow till disposed of.

On motion of Senator Douglass of Jefferson,

Senate bill No. 222.

"An act to amend Article 765, of title 17, chapter 13, of the Penal Code, and to add thereto Articles 765a and 765b," was taken up out of its regular order by the following vote:

YEAS—16.

Abercrombie,	Harrison,
Armistead,	Jarvis,
Burges,	McDonald,
Burney,	MacManus,
Davis,	Stinson,
Douglass of J,	Upshaw,
Garrison,	Woods,
Glasscock,	Woodward.

NAYS—8.

Allen,	Frank,
Calhoun,	Houston,
Camp,	Simkins,
Claiborne,	Terrell.

ABSENT—2.

Bell,	Douglass of G.
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The bill was read second time with favorable report and was ordered engrossed.

THE PRESIDENT

Referred House Bills Nos. 463 and 499 to Committee on Private Land Claims, and,

House Bill No. 451 to Committee on Counties and County Boundaries.

Senate Bill No. 200.

"An act in regard to lands and land titles in Greer county, and to repeal an act entitled 'an act to set aside the public lands embraced within the territorial limits of the county of Greer to educational purposes, and for the payment of the public debt,' approved February 25, A. D. 1879, so far as it conflicts therewith."

The special order was laid before the Senate and read second time with majority (favorable) and minority (unfavorable) committee reports.

SENATOR BELL

Moved to substitute the minority for the majority report.

SENATOR BURGESS

Made a lengthy argument against the motion and in favor of the bill.

SENATOR M'DONALD

Argued at length against the bill and in favor of the minority report.

SENATOR TERRELL.

Made an argument in favor of the bill and against the motion to adopt the minority report and yielded the floor for a motion to adjourn.

On motion of Senator Simkins,  
The Senate adjourned till 3 o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment,

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

House bill No. 82.

"An act to amend Article 4480 of the Revised Civil Statutes of the State of Texas," was laid before the Senate, and read third time.

Senator Davis argued in favor of the bill, and it passed.

SENATOR M'DONALD,

By leave,

Sent up the following committee report:

COMMITTEE ROOM. }  
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Judicial Districts, to whom was referred substitute House bill No. 55, entitled:

"An act to fix the times for holding the district courts in the several counties comprising the twenty-fifth judicial district of Texas, and to repeal all laws and parts of laws in conflict with the provisions of this act," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

MCDONALD, chairman.

Bill read first time.

On motion of Senator Burges,

The bill just reported (House bill No. 55), was taken up out of its regular order and the constitutional rule requiring bills to be read on three several days was suspended and the bill was placed on its second reading by the following vote:

## YEAS—21.

Allen,	Harrison,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	McDonald,
Calhoun,	MacManus,
Camp,	Stinson,
Claiborne,	Terrell,
Davis,	Upshaw,
Douglass of G,	Wood,
Frank,	Woodward.
Garrison,	

## NAYS—none.

## ABSENT—5.

Abercrombie,	Glasscock,
Burney,	Simkins.
Douglass of J,	

The bill was read a second time and passed to third reading.

On motion of Senator Burges,

The constitutional rule was suspended, and the bill was placed on its third reading and final passage by the following vote:

## YEAS—22.

Allen,	Harrison,
Armistead,	Houston,
Bell,	Jarvis.
Burges,	McDonald,
Calhoun,	MacManus.
Camp,	Simkins,
Claiborne,	Stinson,
Davis,	Terrell,
Douglass of G,	Upshaw,
Frank,	Woods,
Garrison,	Woodward.

## NAYS—none.

## ABSENT—4.

Abercrombie,	Douglass of J
Burney,	Glasscock.

The bill was read third time and passed by the following vote:

## YEAS—22.

Allen,	Harrison,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	McDonald,
Calhoun,	MacManus,
Camp,	Simkins,
Davis,	Stinson.
Douglass of G,	Terrell.
Frank,	Upshaw,
Garrison,	Woods,
Glasscock,	Woodward.

## NAYS—none.

## ABSENT—4.

Abercrombie,	Claiborne,
Burney,	Douglass of J,

House bill No 89.

"An act to amend an act passed at the regular session of the Eighteenth Legislature, and approved April 18, 1883, entitled 'an act to amend Articles 430, of section 1, and to repeal section 2, of an act entitled an act to amend Articles 423, 424, 425, 426, 427, 428, 429 and 430a, and to create Article 426½, and to repeal Article 430 of chapter 5, title 13, of the Penal Code of the Revised Statutes for the protection of fish and game,' approved March 15, 1881," was laid before the Senate, and passed to third reading.

## SENATOR HARRISON,

By leave,

Sent up the following committee report:

COMMITTEE ROOM,  
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate :

Sir—Your Committee on Counties and County Boundaries, to whom was referred House bill No. 451, entitled :

"An act to amend Article 711 of the Revised Statutes defining the boundaries of Aransas county," have the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

HARRISON.  
Chairman.

Bill read first time.

On motion of Senator Woodward,

The bill just reported (House bill No. 451), was taken up out of its regular order and the constitutional rule requiring bills to be read on three several days was suspended and the bill was placed on its second reading by the following vote:

## YEAS—25.

Abercrombie,	Garrison,
Allen,	Glasscock,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	McDonald,
Burney,	MacManus,
Calhoun,	Simkins,
Camp,	Stinson,
Claiborne,	Terrell.
Davis,	Upshaw,
Douglass of J,	Woods,



Douglass of G, Woodward.  
Frank,

NAYS—1.

Harrison.

The bill was read second time and passed to third reading.

On motion of Senator Woodward,

The constitutional rule was suspended and the bill was placed on its third reading and final passage by the following vote:

YEAS—25.

Abercrombie,	Glasscock,
Allen,	Harrison,
Bell,	Houston,
Burges,	Jarvis,
Burney,	McDonald,
Calhoun,	MacManus,
Camp,	Simkins,
Claiborne,	Stinson,
Davis,	Terrell,
Douglass of G,	Upshaw,
Douglass of J,	Woods,
Frank,	Woodward.
Garrison,	

NAYS—none.

ABSENT—1.

Armistead,

The bill was read third time and passed by the following vote:

YEAS—26.

Abercrombie,	Glasscock,
Allen,	Harrison,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	McDonald,
Burney,	MacManus,
Calhoun,	Pope,
Camp,	Simkins,
Claiborne,	Stinson,
Davis,	Terrell,
Douglass of G,	Upshaw,
Douglass of J,	Woods,
Frank,	Woodward.
Garrison,	

NAYS—none.

SENATOR FRANK

Sent up the following privileged report:

SENATE CHAMBER, }  
AUSTIN, March 14, A.D. 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed

Bills have carefully examined Senate bill No. 306, entitled:

"An act to amend an act, entitled "an act to redistrict the State into judicial districts, and to provide for the election of judges and district attorneys of said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884," approved April 9, 1883, and find the same correctly engrossed.

FRANK, chairman.

House Bill No. 90.

"An act establishing the manner of ascertaining the boundaries of counties, and repealing all laws and parts of laws in conflict with this act," was taken up,

And,

On motion of Senator Bell,

Was laid on the table, subject to call.

On motion of Senator Terrell,

House Bill No. 377,

"An act to authorize cities and towns to levy and collect taxes for the construction or purchase of public buildings, water works, sewers, improvements of streets and other permanent improvements, to issue bonds therefor, and to validate certain bonds heretofore issued, and to repeal all laws in conflict therewith," was taken up.

SENATOR TERRELL

Offered the following amendment:

Amend by striking out all after word "annum" in line 3 to end of line 8, and insert, "Provided that the aggregate amount of bonds issued for the above named purposes shall never reach an amount where a tax of one-fourth of one per cent will not pay current interest, and provide a sinking fund sufficient to pay the principal at maturity, and the amount of bonds legally issued under acts passed prior to the adoption of the present Constitution shall not be computed in estimating the amount of bonds which may be issued for the above named city improvements."

Adopted.

SENATOR ARMISTEAD

Moved to amend by striking out all after the word "limits" in line 13, page 2, down through line 19 to the word "act," being that which refers to validating bonds.

## SENATOR ARMISTEAD

Explained the amendment.

## SENATOR TERRELL

Opposed the amendment.  
The amendment was adopted.

## SENATOR FRANK

Moved to amend by striking out the first word "cities" in line 11, page 2.

Adopted.

The bill was passed to third reading.

On motion of Senator Terrell,

The constitutional rule was suspended and the bill was placed on its third reading and final passage by the following vote:

## YEAS—24.

Abercrombie,	Frank,
Allen,	Garrison,
Armistead,	Harrison,
Bell,	Jarvis,
Burges,	McDonald,
Burney,	MacManus,
Calhoun,	Simkins,
Camp,	Stinson,
Claiborne,	Terrell,
Davis,	Upshaw,
Douglass of J,	Woods,
Douglass of G,	Woodward.

## NAYS—1.

Glasscock.

## ABSENT—1.

Houston.

The bill was read third time.

## SENATOR TERRELL

Moved to strike out of caption the words, "and to validate certain bonds heretofore issued."

Adopted by the following vote:

## YEAS—21

Abercrombie,	Frank,
Allen,	Garrison,
Bell,	Glasscock,
Burges,	Harrison,
Burney,	McDonald,
Calhoun,	MacManus,
Camp,	Simkins,
Claiborne,	Stinson,
Davis,	Terrell,
Douglass, of J	Woodward.
Douglass, of G	

## NAYS—3.

Jarvis,	Woods.
Upshaw,	

## ABSENT—2.

Armistead	Houston.
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The bill was passed by the following vote:

## YEAS—21.

Abercrombie,	Frank,
Allen,	Garrison,
Bell,	Glasscock,
Burges,	Harrison,
Burney,	McDonald,
Calhoun,	MacManus,
Camp,	Simkins,
Claiborne,	Stinson,
Davis,	Terrell,
Douglass of J,	Woodward.
Douglass of G,	

## NAYS—3.

Armistead,	Upshaw,
Jarvis,	Woods.

## ABSENT—1.

Houston,

On motion of Senator Bell,  
Senator Houston was excused for the day on account of important business.

House bill No. 96.

"An act to amend Article 951, title 24, of the Revised Statutes of the State of Texas," was laid before the Senate, read third time and passed.

House bill No. 94.

"An act to amend Article 4227, chapter 10, title 84, of the Revised Civil Statutes of the State of Texas," was laid before the Senate, read third time and passed.

Substitute House bill No. 95.

"An act to amend Article 178, chapter 4, title 6, of the Penal Code of the State of Texas," was laid before the Senate, read a third time and passed.

House bill No. 101.

"An act to amend sections 1 and 4, as amended by an act entitled 'an act to amend sections 1 and 4 of an act to regulate the sale of spirituous, vinous and malt liquors or medicated bitters; to fix the rate of occupation taxes upon all persons, firms or associations of persons engaged in the sale of spirituous, vinous or malt liquors or medi-

cated bitters; to define the time and manner of collecting such tax and to affix penalties for failure to pay the same, and to repeal all laws and parts of laws in conflict with the provisions of this act,' approved April 4, 1881," was laid before the Senate with committee amendments.

## SENATOR BELL

Moved to add the words "of Texas" after the word "State," where it occurs in the committee amendment.

. Adopted.

The first committee amendment was adopted by the following vote:

## YEAS—13.

Allen,	Garrison,
Armistead,	Jarvis,
Burges,	McDonald,
Calhoun,	MacManus,
Camp,	Simkins,
Claiborne,	Stinson.
Frank,	

## NAYS—12.

Abercrombie,	Glasscock,
Bell,	Harrison,
Burney,	Terrell,
Davis,	Upshaw,
Douglass of J,	Woods,
Douglass of G,	Woodward.

The second committee amendment was adopted.

## SENATOR BELL

Moved to amend the caption and section 1, to read as follows:

"An act to amend an act to amend sections 1 and 4 of an act entitled, 'an act to regulate the sale of spirituous, vinous or malt liquors or medicated bitters, to fix the rate of occupation taxes upon all persons, firms or associations of persons engaged in the sale of spirituous, vinous or malt liquors or medicated bitters; to define the manner and time of collecting such tax and affix penalties for failure to pay the same, and to repeal all laws in conflict with the provisions of this act,' approved March 11, 1881, approved April 4, 1881."

## SENATOR BELL

Explained the amendment and it was adopted.

## SENATOR GLASSCOCK

Moved to amend by striking out "\$600" in section 1, line 7, page 2, and inserting in lieu thereof "\$300," and striking out "\$150," in line 12, and inserting "\$50" in lieu thereof.

## SENATOR BURNEY

Offered the following substitute for the amendment:

Amend by striking out the words "six hundred" in line 7, section 1, page 2, and insert therefor the words "four hundred and fifty" and strike out the words "and fifty" in line 12.

Senators Glasscock, Stinson, Burges, Douglass of Jefferson and Claiborne opposed the substitute.

. (Senator Frank in the chair.)

## SENATORS SIMKINS AND ALLEN

Opposed both the substitute and the amendment.

(The president in the chair.)

## SENATOR BELL

Called for a division of the question.

The first part of the substitute was lost.

## SENATOR DOUGLASS OF JEFFERSON,

Moved to strike out the last part of the substitute and insert \$600.

Lost.

The last part of the substitute was adopted by the following vote:

## YEAS—19.

Abercrombie,	Glasscock,
Armistead,	Jarvis,
Bell,	MacManus,
Burges,	Simkins,
Burney,	Stinson,
Calhoun,	Terrell,
Camp,	Upshaw,
Claiborne,	Woods,
Frank,	Woodward,
Garrison.	

## NAYS—5.

Allen,	Douglass of G,
Davis,	McDonald.
Douglass of J.	

## ABSENT—1.

Harrison.

## SENATOR BURNLEY

Moved to reconsider the vote by which the first part of his substitute was lost.

Lost by the following vote :

YEAS—11.

Bell,	Garrison,
Burges,	Glasscock,
Burney,	Houston,
Calhoun,	Simkins,
Claiborne,	Woodward.
Frank,	

NAYS—14.

Abercrombie,	Jarvis,
Allen,	McDonald,
Armistead,	MacManus,
Camp,	Stinson,
Davis,	Terrell,
Douglass of J.	Upshaw,
Douglass of G.	Woods.

## SENATOR CALHOUN

Moved to amend the first part of Senator Glasscock's amendment, as follows:

"Strike out '\$300' and insert in lieu thereof '\$500.'"

Adopted by the following vote:

YEAS—14.

Allen,	Frank,
Armistead,	Garrison,
Bell,	Jarvis,
Calhoun,	McDonald,
Davis,	Simkins,
Douglass of J.	Terrell,
Douglass of G.	Woods.

NAYS—10.

Abercrombie,	Glasscock,
Burges,	MacManus,
Burney,	Stinson,
Camp,	Upshaw,
Claiborne,	Woodward.

ABSENT—1.

Harrison.

The first part of the amendment as amended was adopted as a part of the bill by the following vote:

YEAS—19.

Allen,	Frank,
Armistead,	Garrison,

Bell,	Jarvis,
Burges,	McDonald,
Burney,	MacManus,
Calhoun,	Simkins,
Camp,	Terrell,
Claiborne,	Woods,
Davis,	Woodward.
Douglass of G.	

NAYS—6.

Abercrombie,	Houston.
Douglass of J.	Stinson,
Glasscock,	Upshaw.

ABSENT—1.

Harrison.

The second part of the amendment as substituted was adopted as a part of the bill by the following vote:

YEAS—21.

Abercrombie,	Glasscock,
Allen,	Houston,
Armistead,	Jarvis,
Bell,	McDonald,
Burges,	MacManus,
Burney,	Simkins,
Calhoun,	Terrell,
Camp,	Upshaw,
Claiborne,	Woods,
Frank,	Woodward.
Garrison,	

NAYS—4.

Davis,	Douglass of G.
Douglass of J.	Stinson.

ABSENT—1.

Harrison.

## SENATOR ALLEN

Offered the following amendment:

In section 4, line 16 after "students," add, "of 21 years of age."

## SENATOR ALLEN

Favored and

## SENATOR BELL

Opposed the amendment.

## SENATOR BURNLEY

Offered the following substitute for the amendment:

Strike out all after the "years" in line 16, section 4, down to the last word in the line.

SENATOR BURNKY

Favored and

SENATORS ALLEN AND GLASSCOCK

Opposed the substitute.

SENATOR CLAIBORNE

Moved to adjourn till 8 o'clock p. m.

SENATOR STINSON

Moved to adjourn till 10 o'clock to-morrow morning.

The last motion was adopted, and the Senate adjourned till 10 o'clock to-morrow morning.

#### FIFTY-FIFTH DAY.

SENATE CHAMBER, }  
AUSTIN, March 15, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Davis,

The reading of the Journal of yesterday was dispensed with.

#### PETITIONS AND MEMORIALS.

BY SENATOR HOUSTON:

Petition of citizens of Young county regarding the hog law.

Referred to Committee on Stock and Stockraising.

BY SENATOR DOUGLASS OF GRAYSON:

Petition of citizens of Grayson county against the high license liquor bill.

Referred to Committee on Finance.

#### REPORTS OF STANDING COMMITTEES.

BY SENATOR FRANK:

SENATE CHAMBER, }  
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined Senate joint resolution No. 23,

"Amending section 10, article 8 of the Constitution of the State of Texas, under the title of 'Taxation and Revenue,'" and find the same correctly engrossed."

FRANK, chairman.

SENATE CHAMBER, }  
AUSTIN, TEXAS, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined Senate bill No. 265, entitled,

"An act to amend Article 4702, chapter 3, title 95, of the Revised Civil Statutes of the State of Texas, relating to the oath administered by assessors of taxes rendering property for taxation," and find the same correctly engrossed.

FRANK, chairman.

SENATE CHAMBER, }  
AUSTIN, March 14, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills, have carefully examined Senate bill No. 261, entitled:

"An act to provide for the purchase of a site for, and the establishment, location, construction and maintenance of, a State orphan asylum," and find the same correctly engrossed.

FRANK, chairman.

BY SENATOR TERRELL:

COMMITTEE ROOM, }  
AUSTIN, March 12, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 126, entitled:

"An act to amend Articles 963, 964, and to create Article 964a, title 24, of the Revised Statutes, so as to require the payment of interest on registered claims against counties," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }  
AUSTIN, March 12, 1887. }

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 183, entitled:

"An act to amend Article 1198, chapter 4, title 29, of the Revised Civil Statutes of the State of Texas, in regard to the bringing of suits," have had the same under consideration, and